

Draft resolution. / Não apresentada

1991/.

The Situation in East Timor

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights, and the universally-accepted rules of international humanitarian law,

Noting the changing international situation which is conducive to dialogue and negotiations as the most effective way of resolving local, national and inter-State disputes in order to guarantee full respect for human rights,

Recalling General Assembly resolution 37/30 of 23 November 1982 which mandated the Secretary-General to use his good-offices to bring about a comprehensive settlement of the problem of East Timor,

Recalling also Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976 reaffirming the right of the people of East Timor to self-determination and calling on the Government of Indonesia to withdraw all its forces from East Timor without delay,

Mindful of the danger of escalating violence when parties to a dispute refuse to comply with the mandatory Security Council resolutions as witnessed in the recent Gulf crisis,

Encouraged by the recent agreement between the governments of Portugal and Indonesia on a multi-party Portuguese parliamentary mission to visit East Timor in the context of General Assembly resolution 37/30,

Encouraged by the announcement by the Government of Indonesia that the Special Rapporteur on Torture of the Commission on Human Rights has been invited to visit the occupied territory of East Timor before the end of this calendar year,

Concerned, however, at the continuing deterioration of the human rights situation in East Timor as amply substantiated by a wide range of independent reports and eyewitnesses personal accounts,

Regretting that access to the territory of East Timor is still denied to independent human rights agencies (ngo) organizations

1. Reaffirms the right of the people of East Timor to self-determination as enshrined in the International Bill of Rights and General Assembly resolutions 1514 (XV) and 1541 (XV) and Security Council resolutions 384 (1975) and 389 (1976);

2. Welcomes the good-offices of the Secretary-General as mandated by the General Assembly Res. 37/30 of 23 November 1982 and encourages all parties, the Governments of Portugal and Indonesia as well as the legitimate representatives of the people of East Timor to continue to cooperate fully with the Secretary-General in discharging his responsibilities; + *UNTA*

3. Commends the announcement by the Government of Indonesia that the Special Rapporteur on Torture nominated by the Commission on Human Rights has been invited to visit the occupied territory of East Timor before ~~at~~ the end of the calendar year of 1991;

~~4. Parliamentary visit~~

X 4. Encourages the Government of Indonesia to continue to display its good faith by extending the same invitation to independent human rights organizations to visit East Timor without restrictions in their movement and contacts with local people and institutions;

5. Welcomes the reported statement by the Indonesian-appointed Governor of East Timor that a referendum on the status of the territory is necessary;

6. Recommends to the Commission on Human Rights that it consider, at its forty-eight session, the situation pertaining to human rights and fundamental freedoms in East Timor and, to this purpose, asks the Secretariat to transmit to the Commission and to the Sub-Commission, at its forty-four session, all available information received. *including the report prepared by the Sp Rep on Torture*